



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PAYVICKI LLC,
Plaintiff,

-against-

PAYVISION US INC., et al.
Defendants.

21-CV-8939 (PKC) (BCM)

**ORDER REGARDING GENERAL
PRETRIAL MANAGEMENT
AND SCHEDULING DISCOVERY
CONFERENCE**

BARBARA MOSES, United States Magistrate Judge.

The above-referenced action has been referred to Magistrate Judge Barbara Moses for general pretrial management, including scheduling, discovery, non-dispositive pretrial motions, and settlement, pursuant to 28 U.S.C. § 636(b)(1)(A). All pretrial motions and applications, including those related to scheduling and discovery (but excluding motions to dismiss or for judgment on the pleadings, for injunctive relief, for summary judgment, or for class certification under Fed. R. Civ. P. 23) must be made to Judge Moses and in compliance with this Court's Individual Practices in Civil Cases, available on the Court's website at <https://nysd.uscourts.gov/hon-barbara-moses>.

General Information

Parties and counsel are cautioned:

1. Discovery applications, including letter-motions requesting discovery conferences, must be made promptly after the need for such an application arises and must comply with Local Civil Rule 37.2 and § 2(b) of Judge Moses's Individual Practices. It is the Court's practice to decide discovery disputes based on the parties' letters, or at the Rule 37.2 conference, unless a party requests or the Court requires more formal briefing. Absent extraordinary circumstances, discovery applications made later than 30 days prior to the close of discovery may be denied as untimely.

2. For motions other than discovery motions, pre-motion conferences are not required, but may be requested where the parties believe that an informal conference with the Court may obviate the need for a motion or narrow the issues.
3. Requests to adjourn a court conference or other court proceeding (including a telephonic court conference) or to extend a deadline must be made in writing and in compliance with § 2(a) of Judge Moses's Individual Practices. Telephone requests for adjournments or extensions will not be entertained.
4. In accordance with § 1(d) of Judge Moses's Individual Practices, letters and letter-motions are limited to four pages, exclusive of attachments. Courtesy copies of letters and letter-motions filed via ECF are required if the filing contains voluminous attachments. Courtesy copies should be delivered promptly, should bear the ECF header generated at the time of electronic filing, and should include tabs for the attachments.

The Pending Discovery Motions

Plaintiff's pending motions seeking discovery relief (Dkts. 79, 82) are now before Judge Moses.

With respect to plaintiff's motion at Dkt. 79, non-party Mastercard International Inc. (Mastercard) shall file its responding papers no later than **December 9, 2022**, in accordance with the stipulation at Dkt. 86. In the interest of efficiency, nonparties American Express Company (American Express) and Visa U.S.A. Inc. (Visa) may also have until **December 9, 2022**, to file their responding papers. Plaintiff's reply papers are due no later than **December 16, 2022**.

With respect to plaintiff's motion at Dkt. 82, plaintiff shall file her reply papers, if any, no later than **November 30, 2022**.

Judge Moses will hold a discovery conference on **December 21, 2022, at 10:00 a.m.**, in Courtroom 20A of the Daniel Patrick Moynihan United States Courthouse, with respect to both motions.

Plaintiff is directed to promptly serve a copy of this Order on non-parties American Express, Visa, and Mastercard, and file proof of such service on the docket.

Dated: New York, New York
November 28, 2022

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge